## withersworldwide

## Tatiana Menshenina

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## Tatiana is a partner in the litigation and arbitration team.

She is an experienced commercial litigator, working on both court cases and arbitrations, with market-leading experience in complex cross-border disputes involving shareholders, commercial and financial contracts and fraud related to digital finance, cryptocurrency and digital assets, technology, financial instruments and construction, asset tracing, cross-border enforcement of judgments and arbitral awards. Her team is advising on various issues related to UK, EU and US financial sanctions regulations. She has led a number of high profile cases for both corporates and high-net-worth individuals facing personal and professional challenges.

Tatiana sits as an arbitrator in commercial cases and she is also an accredited <u>mediator</u>, which adds to her experience navigating different routes to dispute resolution. She works with her clients to understand all available options and provides strategic solutions to help them reach a resolution.

Tatiana is particularly experienced in disputes involving parties from or with interests in Russia, Ukraine and the CIS. She is dual-qualified as a solicitor – advocate in England & Wales and Russia and leads our Russia, Ukraine and CIS Group. Tatiana is also a member of a Withers Crypto special interest group steering committee. She is qualified as a Russian Advocate as well and was called to the Moscow City Bar in 2002. While this is a natural geographical focus for her, she also works with clients based in the UK, US, Spain, Italy, France, Netherlands, Turkey, Azerbaijan, Switzerland, UAE, BVI and Cyprus and has significant experience advising them in all manner of cross-border disputes involving these regions.

She is a regular speaker at various dispute resolution conferences and events and publishes articles on issues of digital assets, jurisdiction, enforcement and arbitration.

## Track record

#### Contractual dispute

Representing a UK marketing and advertising company, in a contractual dispute against a Russian biotechnical company.

#### GBP 14 million dispute

Representing a high net worth individual in a Commercial Court dispute over art objects ownership in an over GBP 14 million claim.

#### Commercial Court trial

Represented the successful Claimant in a three-week Commercial Court trial between two Russian business, with judgment of over US\$7.5 million (Bestolov v Povarenkin [2019] EWHC 1992 (Comm))

#### Lichtenstein foundation

Representing a Lichtenstein foundation in discharge of Receivership Order application (in both High Court and Court of Appeal proceedings)

### **BVI** company

Represented a successful applicant, a BVI company, in the discharge of a Receivership Order Application

#### Construction dispute

Representing a state - owned company (the respondent) in a multi - jurisdictional construction dispute in the ICC arbitration claim brought by Italian claimant. This case, apart from complicated construction issues, involves jurisdictional and assignment of FIDIC contracts issues with a crossover of Italian, French and Ukrainian laws

### Bank dispute

Representing 79 private individuals based in Russia, who allege they were induced by the owners of one of the largest Russian banks, their associates and/or associated companies to give up secure deposits held at the bank in return for loan notes, which the Defendants knew could not and would not be honoured

#### Tracing and securing assets

Multi-jurisdictional litigation aimed at tracing and securing Russian based assets which have been concealed from our client, as a judgment creditor, by their alleged ultimate beneficial owner by means of a series of transfers through complex offshore corporate and trust structures. The matter has involved leading an effort to obtain Norwich Pharmacal relief in the Seychelles, in coordination with a local firm, providing support and evidence of foreign law for use in Russian proceedings and commencing enforcement proceedings in the BVI Court, successfully obtaining a Freezing and Receivership Order in the BVI as interim relief to secure the assets pending enforcement of a Russian judgment against shares in the BVI

#### Russian high net worth individuals

Acting for Russian high-net worth individuals in the BVI insolvent liquidation / debt recovery proceedings, that involve successful applications for worldwide freezing and receivership orders

#### LCIA dispute

Successful representation of a minority shareholder in an LCIA dispute and a related application for injunction in the High Court. Injunction related to an ICO (Initial Coin Offering) of one of the defendants

#### LCIA dispute

Successful mediation for a Russian corporate client in an LCIA dispute against large European corporation in a contractual dispute

#### Prominent Ukrainian businessman

Acting for a prominent Ukrainian businessman in complex £30million dispute involving breach of contract, misrepresentations and fraud allegations

#### **BVI Company**

Acting for a BVI Company in a complex high value LCIA dispute over a share sale contract

#### Russian corporation

Advising a Russian corporation in an over \$150 million dispute over cancelled Credit Linked Notes

#### Arbitration claim

Acting for a company in arbitration claim challenging \$72 million LCIA Award

### **Talks**

- 'When Can a Crypto Exchange Be Found Negligent for Failing to Prevent Fraud of a <u>Customer/Shareholder</u>,' ThoughtLeaders4 FIRE - June 9, 2023, speaker
- Speaking TL4 FIRE Debate: The Future of the Industry & Likely Future Disputes (September 2022)
- Speaking on ISTAC conference "Managing Arbitrators' Expectations" in Istanbul June 2022
- English Law week in St Petersburg on Recent Developments in English High Court Litigation November 2019
- Third Party Funding Event in Almaty October 2019
- "Structuring & Advising your Russian & CIS HNW Client" conference in London October 2019
- "Arbitration Breakfast" in Kyiv September 2019
- St Petersburg International Legal Forum Business breakfast on Litigation Funding May 2019

## Admissions

Russian Federation, 2002

England and Wales, 2012

### Education

BPP Law School, Post Graduate Diploma in Law

Lomonosov Moscow State University, Degree in Mathematics and Cybernetics

University of Ministry of Foreign Affairs of Russian Federation, Degree in International Private Law, MGIMO

# Languages

English

Russian

Ukranian

# Memberships

British - Russian Law Association

The Law Society of England & Wales

The Law Society International Division

Moscow City Bar

Russian Arbitration Association

Russian Arbitration Center at the Russian Institute of Modern Arbitration (as member and an Arbitrator)

# Key dates

Year joined: 2015

Year became partner: 2015

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